

ARTICLE III GENERAL PROVISIONS

Sec. 30-32. Determination of Uses not listed.

When a Use is not specifically listed as a Main Permitted Use, or Conditional Use or prohibited Use in a zoning district within which such Use has been requested, such Use may be permitted as follows:

By administrative decision of the Building, Zoning, and Planning Director subject to a finding that such Use exhibits a character and intensity similar to a Use allowed in the district. Appeal of the Building, Zoning, and Planning Director's decision is to the Village Council and considered as an appeal of an administrative decision. If a Use is not listed as a Main Permitted Use, Conditional Use or Accessory Use, it is a prohibited use, unless the Building, Zoning, and Planning Director issues an administrative decision finding that such Use exhibits a character and intensity similar to a Use allowed in the district. The Building, Zoning, and Planning Director shall not issue an administrative decision determining that a particular use is permitted if said determination has the effect of increasing the permitted density or floor area of a property. (Ord. No. 2000-5, § 2, 5-9-00)

Sec. 30-42. Floor Area and Floor Area Ratio Calculation (See Article 2 Definitions)

The sum of the areas of the floors of a Building or Buildings, measured from the exterior faces of exterior Walls or from the exterior face of an architectural projection, or from the centerline of a Wall separating two attached Buildings. The calculation of Floor Area for Unit sizes is measured from the centerline of a party Wall to the interior face of an exterior Wall.

The Floor Area of a Building shall include all areas except for those areas listed below, unless otherwise provided for in this chapter:

(1) Accessory water tanks or cooling Towers.

(2) Unenclosed exterior staircases or steps, exterior open fire escapes and open stairwells.

(3) Attic space, whether or not a floor actually has been laid, providing structural headroom of less than seven feet six inches.

(4) Unenclosed exterior Terraces, Balconies, breezeways, Porches, Carports, Gazebos, sheds or hallways or areas that provide Access to a Unit or Units.

(5) Any floor space utilized for parking within an accessory off-street Parking garage. For single Family and Two-Family Structures, 50% of the floor area of the Parking garage is included in the FAR calculation. The ceiling shall be no higher than the Base Flood Elevation.

If the Parking garage is the main Permitted Use, then the Floor Area of the Parking levels shall be included in the calculation for Floor Area Ratio.

(6) Mechanical equipment rooms located above the main roof deck.

(7) Exterior unenclosed private or public Balconies.

(8) Floor Area located below BFE is excluded; however, if the ceiling is above BFE and the space is enclosed on more than two sides, 10 percent of the horizontal Floor Area of the space below BFE is included in the Floor Area.

(9) Exterior elevators and landings.

(10) Chaises.

(11) Service station or automotive repair when located in a parking garage. In volumetric Buildings where there are no interior floors above the finished floor, the Floor Area shall be calculated as if there were a floor for every ten feet. Volumetric space between ten and 13 feet is not counted. Volumetric space above 13 feet shall be calculated as follows: Floor area = 10 percent for each one foot or fraction thereof in height \times square feet of the space.

Volumetric space is not counted in the following:

- (a) In entranceways that contain 225 square feet or less.
- (b) Space between ten and 13 feet above the finished floor.
- (c) Space above stairs.

The Floor Area occupied by a generator is included in the Floor Area Ratio calculation.

Sec. 30-43. Lot Coverage Calculation.

The following included in the Lot Coverage Calculation

(1) In Commercial, Office, or Multiple Family Districts: uncovered, open plazas located on the upper deck of a parking garage, so long as the upper deck is no higher than two 2.0 feet above the Base Flood Elevation constructed with an elevation at or below 3.0 ft. below grade; exterior steps and landings attached to and providing a means of ingress and egress from a Building;

(2) Carport Canopies which occupy less than 300 square feet in area;

(3) Gazebos occupying a total area of up to two percent of the lot size; utility sheds;

(4) Carports and porches that provide a ten foot setback pursuant to section 30-100(f)(12);

(5) Planters with a maximum height of four feet above grade and patios, Decks and swimming pools that are located below the Maximum Lot Elevation.

(6) Lot Coverage shall include any non-roofed areas enclosed by Walls (other than Building Walls) that exceed six feet in height and are attached to or otherwise form an integral part of a Building.